Simon v. Adzilla, Inc [New Media] et al Doc. 589

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and Divya Narendra

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG,

Plaintiffs,

v.

CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG,

Defendants.

Case No. 5:07-CV-01389-JW

DECLARATION OF SEAN O'SHEA IN SUPPORT OF ADMINISTRATIVE MOTION TO SEAL UNREDACTED THIRD PARTY COMPLAINT

Dockets.Justia.com

I, Sean O'Shea, declare as follows:

1. I am a member of the law firm of O'Shea Partners LLP, 90 Park Avenue, New York, New York 10016, counsel for Cameron Winklevoss, Tyler Winklevoss and Divya Narendra and counsel for defendant ConnectU in the above matter. I make this Declaration pursuant to Civil L.R. 7-11 and 79-5(b).

2. Good cause exists for sealing the unredacted Third Party Complaint, as it references terms from the mediation term sheet that Judge Ware has redacted from public filings, and references information that Plaintiffs have alleged is confidential.[1]

3. A redacted version of the complaint was electronically filed on July 31, 2008, and is available to the public (Docket No. 577).

4. This Administrative Motion is being made pursuant to Civil L.R. 79-5, which requires a Court order to seal documents and does not permit sealing by stipulation.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 1st day of August, 2008.

/s/ Sean F. O'Shea

Sean F. O'Shea

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[1] ConnectU, Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra do not waive any arguments or rights as to (i) the admissibility or inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-confidentiality of information relating to the purported agreement, or (iii) the enforceability or unenforceability of the purported agreement.

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is **800 West Sixth Street, Suite 430, Los Angeles, California 90017**.

I have caused the service of **DECLARATION OF SEAN O'SHEA IN SUPPORT OF ADMINISTRATIVE MOTION TO SEAL UNREDACTED THIRD PARTY COMPLAINT** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notified the following:

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2008, at Los Angeles, California

/s/Mark A. Byrne